

1 BILL NO. G-85- 06-30

2 GENERAL ORDINANCE NO.G- 18-85.

3 AN ORDINANCE amending the Thoroughfare  
4 Plan of the City Comprehensive ("Master")  
5 Plan by vacating a portion of a utility easement.

6 WHEREAS, a petition to vacate a portion of a utility easement within  
7 the City of Fort Wayne (as more specifically described below) was duly  
8 filed with the City Planning Commission; and

9 WHEREAS, said Commission duly held a public hearing thereon; and

10 WHEREAS, said Commission has duly forwarded its recommendation to  
11 this body approving said petition, all in accordance with I.C. 36-7-4-  
12 512(2); and

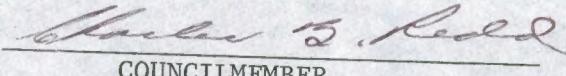
13 WHEREAS, this body concurs in the recommendation of the City  
14 Planning Commission.

15 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
16 FORT WAYNE, INDIANA:

17 SECTION 1. That the petition filed herein to vacate a portion of a  
18 utility easement within the City of Fort Wayne, more specifically  
19 described as follows, to-wit:

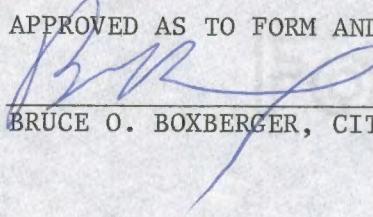
20 The North 3 feet by 121 feet of the 14 foot by 121 foot  
21 utility easement on Lot 26 of Lake Shores, Section I  
22 and which vacating amends the Thoroughfare Plan of the City Compre-  
23 hensive ("Master") Plan and is hereby approved in all respects.

24 SECTION 2. That this Ordinance shall be in full force  
25 and effect from and after its passage, any and all necessary approval by  
26 the Mayor.

27   
28 COUNCILMEMBER

1                   Page two

2  
3                   APPROVED AS TO FORM AND LEGALITY:

4                     
5                   BRUCE O. BOXBERGER, CITY ATTORNEY

6                   \*\*Public hearing to be held on \_\_\_\_\_, the \_\_\_\_\_  
7                   day of \_\_\_\_\_, 19\_\_\_\_\_, in the Council  
8                   Chambers.

9  
10                  \_\_\_\_\_  
11                  Sandra E. Kennedy, City Clerk  
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Read the first time in full and on motion by Read  
seconded by Jolanes, and duly adopted, read the second time  
by title and referred to the Committee Regulations (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.

DATE: 6-25-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by E. Reddy  
seconded by Almo, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

|                    | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>7</u>    | <u>—</u>    | <u>—</u>         | <u>2</u>      | <u>—</u>       |
| <u>BRADBURY</u>    | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>BURNS</u>       | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>EISBART</u>     | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>GiaQUINTA</u>   | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>HENRY</u>       | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>REDD</u>        | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>SCHMIDT</u>     | <u>—</u>    | <u>—</u>    | <u>—</u>         | <u>C</u>      | <u>—</u>       |
| <u>STIER</u>       | <u>C</u>    | <u>—</u>    | <u>—</u>         | <u>—</u>      | <u>—</u>       |
| <u>TALARICO</u>    | <u>—</u>    | <u>—</u>    | <u>—</u>         | <u>C</u>      | <u>—</u>       |

DATE: 8-13-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 8-18-85  
on the 13th day of August, 1985,

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. J. Dinkins  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 14th day of August, 1985,  
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of August,  
1985, at the hour of 12:30 o'clock P. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

Vacation Ordinance

PETITION TO VACATE ( Dedicated Utility Easement )

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The Undersigned petitioner, does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following dedicated utility easement, within the City of Fort Wayne, Indiana, and hereby described as follows:

The North 3 feet by 121 feet of the 14 foot x 121 foot utility easement on lot 26 of Lake Shores, Section I; or 7210 Penmoken Drive, Fort Wayne, Indiana.

In support thereof, your petitioner would represent as follows:

1. That they are the only owners of the real estate bordering both sides of the easement.
2. That no other person, firm, or corporation is interested in or affected by the requested vacation.
3. That the maintenance of said utilities may still be accomplished and this easement advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.
4. That they would improve the North 3 feet of the utility easement by building a garage on this real estate.

Your petitioner files this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner pray that the above described utility easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 19<sup>th</sup> DAY OF April 1985

Arnold H. Stuck  
Petitioner's Signature

7210 Penmoken Dr.  
Petitioner's Address

T. Stuckey Construction  
7707 Union Chapel Road  
Fort Wayne, Indiana 46825  
Agent's Name & Address

#4

14'

PROPOSED ATTACHED GARAGE 720 sq. ft.

FOR : MR & MRS ARNOLD KNUCK  
 7210 PENNOKEN DR  
 FT. WAYNE, IND

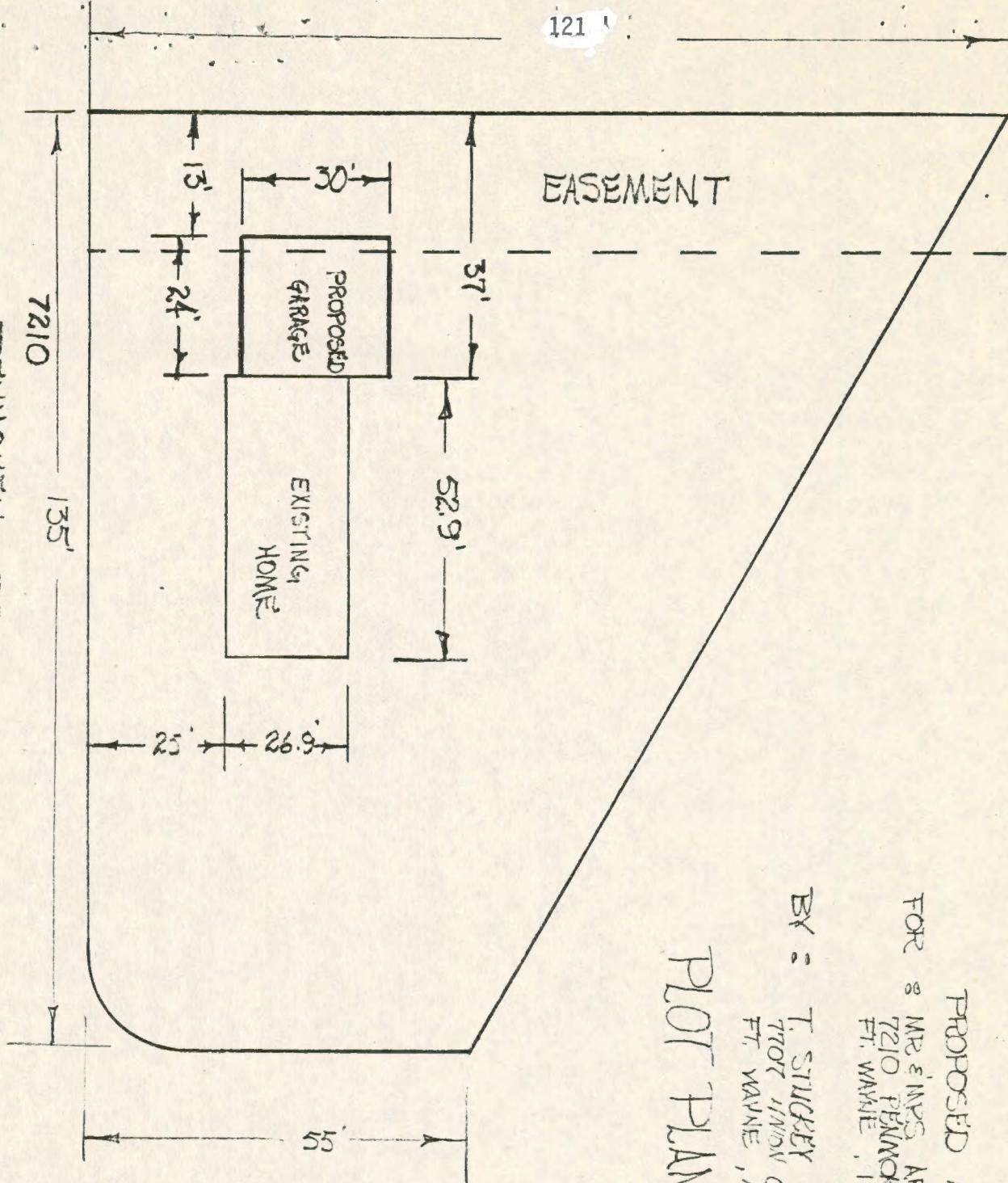
TR - 147-4533

BY : T. STUCKEY CONSTRUCTION  
 7107 N. CHAPEL ROAD  
 FT. WAYNE, IND. 46825 TR - 627-5431

## PLOT PLAN

EASEMENT

PENNOKEN DR  
 7210 135'



WHEREAS, ARNOLD H. KUCK have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

The North 3 feet by 121 feet of the 14 foot by 121 foot utility easement on Lot 26 of Lake Shores, Section I

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of a dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, David Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held 7-3-85 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3<sup>rd</sup> DAY OF July 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester  
David J. Kiester  
Director of Public Works

Colette R. Simon  
Colette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Director of Public Safety

R E S O L U T I O N

WHEREAS, ARNOLD H. KUCK have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement in Fort Wayne, Allen County, to-wit:

The North 3 feet by 121 feet of the 14 foot by 121 foot utility easement on Lot 26 of Lakeshores, Section I

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 17, 1985, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of a utility easement

WHEREAS, said vacation of said portion of a utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

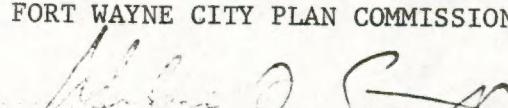
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of a utility easement in Allen County, Indiana.

STATE OF INDIANA)  
                     ) SS:  
COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 22, 1985 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF June 19 85

FORT WAYNE CITY PLAN COMMISSION

  
Melvin O. Smith  
Secretary

ORIGINAL

**ORIGINAL  
DIGEST SHEET**

Admn. Appr.

ORIGINAL

ORIGINAL  
DP 85-06-30

**TITLE OF ORDINANCE** Utility Easement Vacation

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE The North 3' x 121' of the 14' x 121' utility easement located on Lot #26 in Lake Shore, Section 1.

## EFFECT OF PASSAGE

## EFFECT OF NON-PASSAGE

**MONEY INVOLVED (Direct Costs, Expenditures, Savings)**

ASSIGNED TO COMMITTEE (J.N.)

**FACT SHEET**

G-85-06-30

**BILL NUMBER****Division of Community  
Development & Planning**

| <b>BRIEF TITLE</b>  | <b>APPROVAL DEADLINE</b>  | <b>REASON</b>  |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|---|---|--|---|------------------|------------------------|---|----------------|----------------------|--|----------------------|-----------|--|--|-------------|--|---|---|--|------------------|--|--|---------------------------------|--|--|---|--|--|---|--|
| Easement Vacation Ordinance   |   |  |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
| <b>DETAILS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"><b>Specific Location and/or Address</b><br/><br/>Portion of an easement on the property at 7210 Penmoken Drive.</td> <td style="padding: 5px;"><b>POSITIONS</b></td> <td style="padding: 5px;"><b>RECOMMENDATIONS</b></td> </tr> <tr> <td style="padding: 5px;">Reason for Project<br/><br/>To allow for the construction of a new garage, which would otherwise encroach 3 feet into the present easement.</td> <td style="padding: 5px;"><b>Sponsor</b></td> <td style="padding: 5px;">City Plan Commission</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>Area Affected</b></td> <td style="padding: 5px;">City Wide</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Other Areas</td> </tr> <tr> <td style="padding: 5px;"><b>Discussion (Including relationship to other Council actions)</b><br/><br/>17 June 1985 - Public Hearing<br/><br/>The petitioner did not appear at the public hearing.<br/><br/>There was no one present who wished to speak in favor of or in opposition to the proposed vacation.<br/><br/>24 June 1985 - Business Meeting<br/><br/>Motion was made to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.<br/><br/>Of the eight (8) members present seven (7) voted in favor of one (1) did not vote.</td> <td style="padding: 5px;"><b>Applicants/<br/>Proponents</b><br/><br/>Arnold H. Kuck<br/>City Department<br/><br/>Other</td> <td style="padding: 5px;"><b>Applicant(s)</b><br/>Arnold H. Kuck<br/>City Department<br/><br/>Other</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>Opponents</b></td> <td style="padding: 5px;"><b>Groups or Individuals</b><br/>None<br/><b>Basis of Opposition</b></td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>Staff<br/>Recommendation</b></td> <td style="padding: 5px;"><input checked="" type="checkbox"/> For      <input type="checkbox"/> Against<br/><br/>Reason Against</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>Board or<br/>Commission<br/>Recommendation</b></td> <td style="padding: 5px;">By<br/><br/><input checked="" type="checkbox"/> For      <input type="checkbox"/> Against<br/><input type="checkbox"/> No Action Taken<br/><br/><input type="checkbox"/> For with revisions to conditions<br/>(See Details column for conditions)</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"><b>CITY COUNCIL<br/>ACTIONS</b><br/>(For Council use only)</td> <td style="padding: 5px;"><input type="checkbox"/> Pass      <input type="checkbox"/> Other<br/><input type="checkbox"/> Pass (as amended)      <input type="checkbox"/> Hold<br/><input type="checkbox"/> Council Sub.      <input type="checkbox"/> Do not pass</td> </tr> </table> |   |  | <b>Specific Location and/or Address</b><br><br>Portion of an easement on the property at 7210 Penmoken Drive. | <b>POSITIONS</b> | <b>RECOMMENDATIONS</b> | Reason for Project<br><br>To allow for the construction of a new garage, which would otherwise encroach 3 feet into the present easement. | <b>Sponsor</b> | City Plan Commission |  | <b>Area Affected</b> | City Wide |  |  | Other Areas | <b>Discussion (Including relationship to other Council actions)</b><br><br>17 June 1985 - Public Hearing<br><br>The petitioner did not appear at the public hearing.<br><br>There was no one present who wished to speak in favor of or in opposition to the proposed vacation.<br><br>24 June 1985 - Business Meeting<br><br>Motion was made to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.<br><br>Of the eight (8) members present seven (7) voted in favor of one (1) did not vote. | <b>Applicants/<br/>Proponents</b><br><br>Arnold H. Kuck<br>City Department<br><br>Other | <b>Applicant(s)</b><br>Arnold H. Kuck<br>City Department<br><br>Other |  | <b>Opponents</b> | <b>Groups or Individuals</b><br>None<br><b>Basis of Opposition</b> |  | <b>Staff<br/>Recommendation</b> | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against<br><br>Reason Against |  | <b>Board or<br/>Commission<br/>Recommendation</b> | By<br><br><input checked="" type="checkbox"/> For <input type="checkbox"/> Against<br><input type="checkbox"/> No Action Taken<br><br><input type="checkbox"/> For with revisions to conditions<br>(See Details column for conditions) |  | <b>CITY COUNCIL<br/>ACTIONS</b><br>(For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other<br><input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold<br><input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |
| <b>Specific Location and/or Address</b><br><br>Portion of an easement on the property at 7210 Penmoken Drive.   | <b>POSITIONS</b>  | <b>RECOMMENDATIONS</b>   |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
| Reason for Project<br><br>To allow for the construction of a new garage, which would otherwise encroach 3 feet into the present easement.   | <b>Sponsor</b>  | City Plan Commission   |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   | <b>Area Affected</b>  | City Wide  |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   |   | Other Areas  |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
| <b>Discussion (Including relationship to other Council actions)</b><br><br>17 June 1985 - Public Hearing<br><br>The petitioner did not appear at the public hearing.<br><br>There was no one present who wished to speak in favor of or in opposition to the proposed vacation.<br><br>24 June 1985 - Business Meeting<br><br>Motion was made to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.<br><br>Of the eight (8) members present seven (7) voted in favor of one (1) did not vote.  | <b>Applicants/<br/>Proponents</b><br><br>Arnold H. Kuck<br>City Department<br><br>Other | <b>Applicant(s)</b><br>Arnold H. Kuck<br>City Department<br><br>Other  |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   | <b>Opponents</b>  | <b>Groups or Individuals</b><br>None<br><b>Basis of Opposition</b>   |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   | <b>Staff<br/>Recommendation</b>   | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against<br><br>Reason Against   |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   | <b>Board or<br/>Commission<br/>Recommendation</b>                                       | By<br><br><input checked="" type="checkbox"/> For <input type="checkbox"/> Against<br><input type="checkbox"/> No Action Taken<br><br><input type="checkbox"/> For with revisions to conditions<br>(See Details column for conditions) |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |
|   | <b>CITY COUNCIL<br/>ACTIONS</b><br>(For Council use only)                               | <input type="checkbox"/> Pass <input type="checkbox"/> Other<br><input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold<br><input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass                 |   |                  |                        |   |                |                      |  |                      |           |  |  |             |  |   |   |  |                  |  |  |                                 |  |  |   |  |  |   |  |

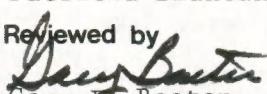
**DETAILS****POLICY/ PROGRAM IMPACT**

| Policy or Program Change      | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
|-------------------------------|-----------------------------|------------------------------|
|                               |                             |                              |
| Operational Impact Assessment |                             |                              |
|                               |                             |                              |

(This space for further discussion)

**Project Start****Date** April 19, 1985**Projected Completion or Occupancy****Date** June 27, 1985**Fact Sheet Prepared by****Date** June 27, 1985

Patricia Biancaniello

**Reviewed by****Date** June 27, 1985  
Gary P. Baeten, Senior Planner  
Reference or Case Number

## RECEIPT

COMMUNITY DEVELOPMENT &amp; PLANNING

No 11972

FT. WAYNE, IND.,

April 19 1985

RECEIVED FROM Arnold H. Kunk \$100.00  
THE SUM OF One Hundred 100 DOLLARS  
ON ACCOUNT OF Casement Vacations  
7210 Pennsylvania Dr.

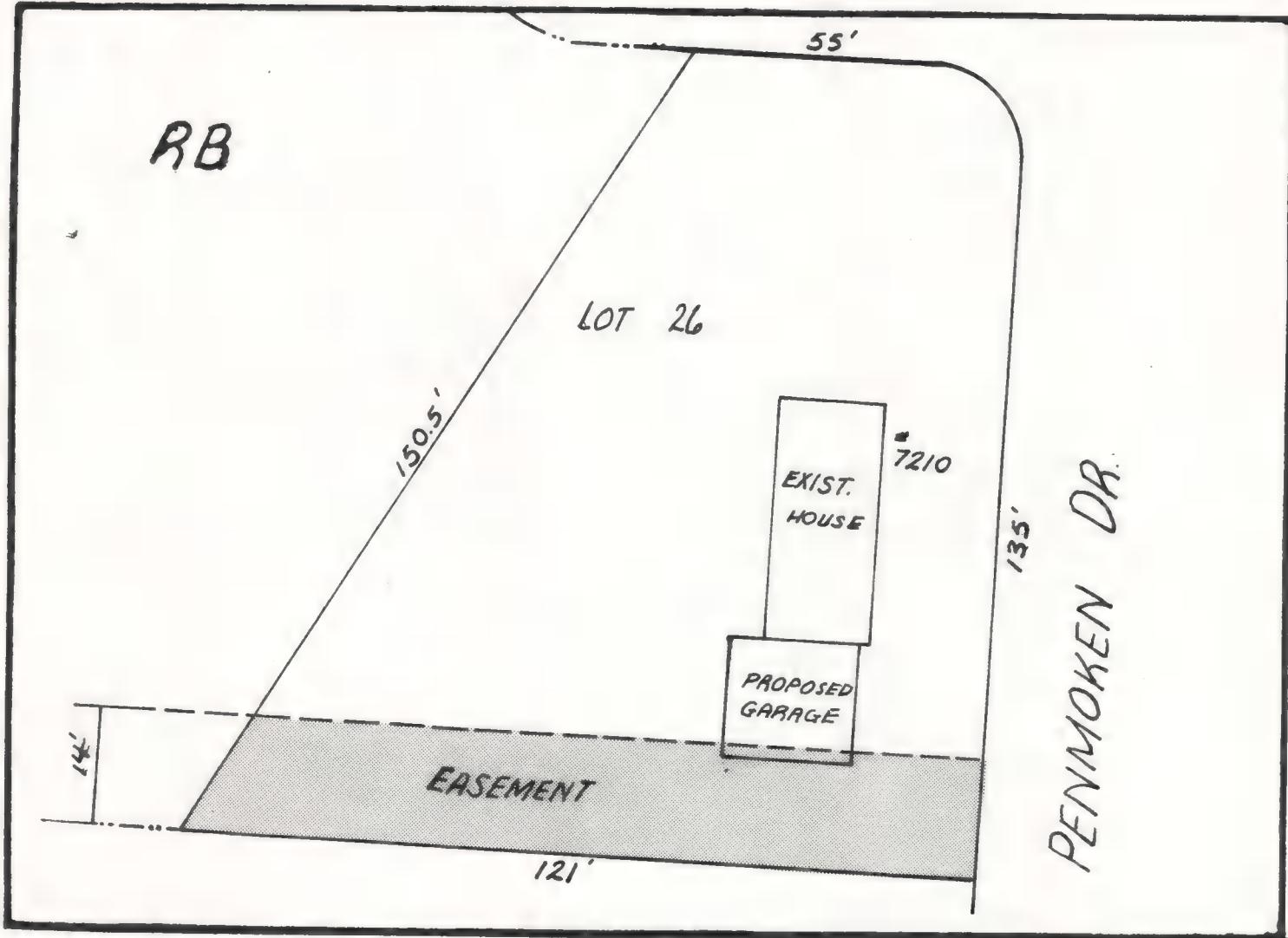
AUTHORIZED SIGNATURE J. Neal

VACATION PETITION #130

A PETITION TO VACATE THE DESCRIBED UTILITY EASEMENT.

MAP NO. K-27

COUNCILMANIC DISTRICT NO. 5



Zoning:

RB RESIDENCE 'B'

Land Use:

SINGLE FAMILY

BILL NO. G-85-06-30

Scale: NOT TO SCALE

Date: 4-24-85



Vacation Petition #130

6 June 1985

PROPOSAL:

Petitioner requests the vacation of a portion of an easement being the North 3 feet by 121 feet of a 14 foot utility easement.

GENERAL INFORMATION:

Location: A 14 foot utility easement located at 7210 Penmoken Drive.

Legal Description: Metes & Bounds in File

Existing Zoning: Adjacent property is zoned RB.

Size of Property: 363 sq. ft.

Surrounding Zoning: This easement is located in an RB district, and the area has residential development.

Reason For Request: Construction of a garage.

PLANNING STAFF DISCUSSION:

As the petition is only requesting a vacation for a three foot strip of this easement, we find no objection.

RECOMMENDATION:

Conditional Approval

Contingent upon releases being received from all utilities.

NOTICE OF PUBLIC HEARING

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, June 17, 1985 at 7:00 p.m. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on the following proposed vacation of a portion of a utility easement, more particularly described as follows:

The North 3 feet by 121 feet of the 14 foot x 121 foot utility easement on Lot 26 of Lake Shores, Section 1.

All interested persons are invited to appear and be heard.

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Secretary



# The City of Fort Wayne

July 22, 1985

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of July 25, 1985, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-85-06-31  
Alley vacation

Bill No. G-85-06-30  
Utility Easement

Bill No. G-85-06-32  
Utility Easement

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 3

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-85-06-30

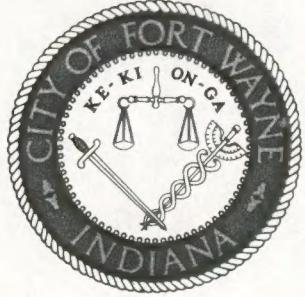
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, August 13, 1985, at 7:00 P.M. EST in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

The North 3 feet by 121 feet of the  
14 footx 121 foot utility easement  
on Lot 26 of Lake Shores, Section 1

All interested persons are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy  
City Clerk



# The City of Fort Wayne

July 19, 1985

T. Stuckey Construction  
7707 Union Chapel Road  
Fort Wayne, IN 45625

## NOTICE OF PUBLIC HEARING ON BILL NO. G-85-06-30

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, August 13, 1985, at 7:00 P.M. (EST) in the Common Council Conference Room, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

The North 3 feet by 121 feet of the  
14 foot x 121 foot utility easement  
on Lot 26 of Lake Sores, Section 1.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy  
City Clerk

**Fort Wayne Common Council**  
 .....  
 (Governmental Unit)  
**Allen** ..... County, IN

To ..... **JOURNAL-GAZETTE** ..... Dr.  
**P.O. BOX 100**  
**FORT WAYNE, INDIANA**

**PUBLISHER'S CLAIM****LINE COUNT**

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Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **July 26**, 19 **85**

Title ..... **CLERK**

**FORM #904****PUBLISHER'S AFFIDAVIT**

State of Indiana  
 ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ..... **Drusilla Roose** ..... who, being duly sworn, says that he/she is ..... **CLERK** ..... of the

**JOURNAL-GAZETTE**

a ..... **DAILY** ..... newspaper of general circulation printed and published in the English language in the city ..... town ..... of ..... **FORT WAYNE, INDIANA** ..... in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for ..... **one time** ..... the dates of publication being as follows:

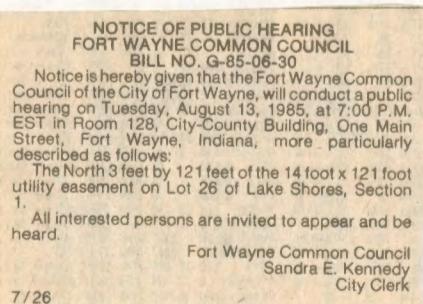
**7/26/85**

Subscribed and sworn to me before this ..... **26th** ..... day of ..... **July** ..... year **85**

**Shelley R. LaRue** Notary Public

**March 6, 1986**

My commission expires .....



7/26



BILL NO. G-85-06-30

REPORT OF THE COMMITTEE ON

REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a portion  
of a utility easement

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(RESOLUTION)

YES

NO

Charles B. Redd CHARLES B. REDD  
CHAIRMAN

Janet G. Bradbury JANET G. BRADBURY  
VICE CHAIRWOMAN

James S. Stier JAMES S. STIER

Ben A. Eisbart BEN A. EISBART

Donald J. Schmidt DONALD J. SCHMIDT

CONCURRED IN 8-13-85

SANDRA E. KENNEDY  
CITY CLERK